

(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PWTITION No. 152 of 2004

Office Note, Office Memoranda
of Quorum, appearances, Court's
orders or directions and
Registrar's orders.

Court's or Judge's Orders

Shri S. D. Padiyar, advocate for
the petitioner.

Shri V. P. Thali, Senior Central
Standing Counsel for the respondent
Nos.1 and 2.

CORAM : P. V. HARDAS &
D. G. KARNIK, JJ.

DATE : 26th March, 2004

P.C.:

Heard Shri S. D. Padiyar,
learned counsel for the petitioner.
Shri V. P. Thali, learned Senior
Central Government Standing Counsel,
accepts notice on behalf of
respondent nos. 1 and 2.

2. Shri Thali, learned Senior
Central Government Standing Counsel
for the respondents, on instructions
from the respondents, states that
the respondents shall refer the
dispute to an Arbitrator under
Section 7(B) of the Telegraphs Act.

On this statement of the learned counsel for the respondents, Shri Padiyar, learned counsel for the petitioner states that the petitioner shall deposit 50% of the disputed telephone bills which is Rs.16,93,124/-. Undisputedly, from out of these bills, the petitioner has paid Rs.2,00,000/-. Therefore, the petitioner states that he shall deposit an amount of Rs.14,93,124/- with the respondents. Today, a cheque has been handed over by the petitioner to the learned counsel for the respondents for the aforesaid amount. In view of the payment of 50% of the disputed bills by the petitioner, the respondents agree to restore the telephone connections.

In view of the fact that the respondents have agreed to refer the dispute to arbitration, the petitioner seeks withdrawal of the petition. Payment made by the petitioner is without prejudice to

his rights and contentions available
to the petitioner.

Accordingly, Writ Petition No.
152 of 2004 is dismissed as
withdrawn, with no order as to
costs.

P. V. HARDAS, J.

D. G. KARNIK, J.

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